

3. (amended) The UPII TRE of claim 1, comprising nucleotides 1223 to 2239 of SEQ ID NO:1.

E1
cont

4. (amended) The UPII TRE of claim 1, comprising nucleotides 1 to 2239 of SEQ ID NO:1.

5. (amended) The UPII TRE of claim 1 comprising nucleotides 430 to 2239 of SEQ ID NO:1.

E2
SUB F2)

54. (twice amended) An adenovirus vector comprising an adenoviral gene essential for replication under transcriptional control of a uroplakin II (UPII) transcriptional response element (TRE) comprising a nucleotide sequence selected from the group consisting of nucleotides 2028 to 2239 of SEQ ID NO:1; nucleotides 1647 to 2239 of SEQ ID NO:1; nucleotides 1223 to 2239 of SEQ ID NO:1; nucleotides 1 to 2239 of SEQ ID NO:1; nucleotides 430 to 2239 of SEQ ID NO:1; nucleotides 2023-2239 of SEQ ID NO:2; nucleotides -587 to +1 of SEQ ID NO:2; and -965 to +1 of SEQ ID NO:2.

E3

56. (amended) An adenovirus vector according to claim 54, wherein the adenoviral gene essential for replication is an adenoviral early gene.

58. An adenovirus vector according to claim 56, wherein the adenoviral early gene is E1A.

59. An adenovirus vector according to claim 56, wherein the adenoviral early gene is E1B.

60. The adenovirus vector of claim 59, wherein E1B has a deletion of the 19-kDa region.

E4

61. (amended) An adenovirus vector according to claim 54, wherein the adenoviral gene essential for replication is an adenoviral late gene.

63. (amended) An adenovirus vector according to claim 54, wherein the uroplakin gene TRE is obtained from a mouse uroplakin II gene.

E5
SUB F2)

64. (amended) An adenovirus vector according to claim 63, wherein the TRE comprises

nucleotides -587 to +1 of SEQ ID NO:2.

ES
cond
SUB F2
cond

65. (amended) An adenovirus vector according to claim 54, wherein said TRE comprises nucleotides -965 to +1 of SEQ ID NO:2.

66. (amended) An adenovirus vector according to claim 54, wherein the uroplakin II TRE is obtained from a human uroplakin II gene.

67. An adenovirus vector according to claim 54, wherein said TRE comprises nucleotides 1-2239 of SEQ ID NO:1.

E6

68. (amended) An adenovirus vector according to claim 54, wherein said TRE comprises nucleotides 2023-2239 of SEQ ID NO:2.

69. An adenovirus vector according to claim 54, wherein said TRE comprises nucleotides 430-2239 of SEQ ID NO:1.

E7
SUB F2

70. (amended) An adenovirus vector comprising
(a) an adenovirus gene essential for replication under transcriptional control of a uroplakin II transcriptional regulatory element (TRE) comprising a nucleotide sequence selected from the group consisting of nucleotides 2028 to 2239 of SEQ ID NO:1; nucleotides 1647 to 2239 of SEQ ID NO:1; nucleotides 1223 to 2239 of SEQ ID NO:1; nucleotides 1 to 2239 of SEQ ID NO:1; nucleotides 430 to 2239 of SEQ ID NO:1; nucleotides 2023-2239 of SEQ ID NO:2; nucleotides -587 to +1 of SEQ ID NO:2; and -965 to +1 of SEQ ID NO:2; and
(b) an E3 region.

72. The adenovirus vector of claim 70, wherein the adenovirus gene is an early gene.

73. The adenovirus vector of claim 72, wherein the early gene is E1A.

74. The adenovirus vector of claim 72, wherein the early gene is E1B.

75. The adenovirus vector of claim 74, wherein E1B has a deletion of the 19-kDa region.

76. The adenovirus vector of claim 72, wherein the early gene is E4.

78. (twice amended) The adenovirus vector according to claim 70, wherein the uroplakin II TRE is obtained from a mouse uroplakin II gene.

E8

79. (twice amended) The adenovirus vector according to claim 70, wherein the uroplakin II TRE is from a human uroplakin II gene.

80. A composition comprising the adenoviral vector of claim 54 and a pharmaceutically acceptable excipient.

81. A composition comprising the adenoviral vector of claim 70 and a pharmaceutically acceptable excipient.

82. (amended) An *in vitro* host cell comprising the adenoviral vector of claim 54.

E9

83. (amended) An *in vitro* host cell comprising the adenoviral vector of claim 70.

104. The adenovirus vector of claim 54, further comprising a polynucleotide encoding adenoviral death protein (ADP).

105. The adenovirus vector of claim 70, further comprising a polynucleotide encoding adenoviral death protein (ADP).

106. The adenovirus vector of claim 54, further comprising a GM-CSF gene.

107. The adenovirus vector of claim 70, further comprising a GM-CSF gene.

REMARKS

Claims 1-5, 54, 56, 58-61, 63-70, 72-76, 78-83 and 104-107 were pending. Claims 1-5, 54, 56, 61, 63-66, 68, 70, 78-79, 82-83 have been amended. No new matter is added.

Claims 82-83 have been rejected under 35 U.S.C. 101 as drawn to non-statutory subject